

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff

v.

ALBERT RAUL FRANCO,

Defendant

Case No.: 2:18-cr-00356-APG-DJA

**Order (1) Granting in Part Defendant's
Motion to Compel and (2) Ordering
Redactions of Certain Documents**

[ECF No. 172]

Defendant Albert Franco moves to compel various documents related to the Government's allegations that he violated conditions of his supervised release. ECF No. 172. During the hearing on the motion, the United States Attorney (USA) agreed to produce some of the requested documents, but not the U.S. Probation Office's (USPO) "chronos," which are the Probation Officers' computer notes of activities regarding their supervisees. The USA and USPO are concerned that disclosure of the chronos will put at risk confidential informants. I ordered the USPO to provide me both the USPO's Request for Search and the chronos for the relevant period so I can conduct an *in camera* inspection.

I have reviewed the documents and redacted information that should not be disclosed. I have balanced the Government's interest in protecting the identities of informants and potential on-going investigations against the defendant's due process rights and need to adequately prepare for the revocation hearing. *See United States v. Gonzalo Beltran*, 915 F.2d 487, 488-489 (9th Cir. 1990); *United States v. Fixen*, 780 F.2d 1434, 1439-1440 (9th Cir. 1986). I have limited the range of the chronos to January 19, 2023 (the date the USPO was first informed of a potential violation) through May 5, 2023 (the date of the last allegedly positive drug test).

1 Filed separately under seal are the Search Request and relevant chronos, with my
2 redactions.

3 DATED this 28th day of July, 2023.

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6 ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE